

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MOBIUS MANAGEMENT SYSTEMS, INC., :
: Plaintiff, :
: v. : C.A. No. 05-346 SLR
: :
ACARTUS, INC., : Defendant. :

**PLAINTIFF MOBIUS MANAGEMENT SYSTEMS, INC.'S
MOTION TO COMPEL DISCOVERY**

Plaintiff Mobius Management Systems, Inc. moves for an order, pursuant to Fed. R. Civ. P. 37, compelling defendant Acartus, Inc. to comply with Mobius' first and second requests for production of documents, on the grounds that (i) its failure to do so is in violation of a Court order, and (ii) Acartus has neither requested nor obtained a stay of discovery. In support of its motion, Mobius is submitting and relies upon an opening brief and the Declaration of Jonathan M. Wagner, Esq., co-counsel with The Bayard Firm to Mobius.

THE BAYARD FIRM



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Dated: November 2, 2005

CERTIFICATE OF SERVICE

Kurt M. Heyman, Esquire hereby certifies that on November 2, 2005, copies of the foregoing Plaintiff's Motion to Compel Discovery were served electronically and by hand delivery on counsel listed below:

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